

UNITED STATES DISTRICT COURT
EASTERN DISTRICT OF NORTH CAROLINA
WESTERN DIVISION

DAVID DEAM,

Plaintiff

vs.

SOUTHEASTERN FREIGHT LINES,
INC.,

Defendant.

**AMENDED
JUDGMENT IN A CIVIL CASE
CASE NO. 5:18-CV-124-D**

Decision by Court.

IT IS ORDERED, ADJUDGED AND DECREED in the court's order dated 10/25/2018 at [DE-29] defendant's motion to dismiss [D.E. 16] is GRANTED in part and DENIED in part. Count two in plaintiff's amended complaint is DISMISSED WITH PREJUDICE. Counts one and three survive. The court DENIES plaintiff's: motion to dismiss [D.E. 23] as meritless.

IT IS FURTHER ORDERED, ADJUDGED, AND DECREED that the court AFFIRMS Magistrate Judge Numbers's decision, OVERRULES plaintiff's objections [D.E. 79], GRANTS defendant's motion for summary judgment [D.E. S7], and DENIES plaintiff's motion for summary judgment [D.E. S4]. Defendant may file a motion for costs in accordance with the Federal Rules of Civil Procedure and this court's local rules.

This Judgment filed and entered on August 20, 2020, and copies to:

Gene A. Riddle (via CM/ECF electronic notification)

John A. Beam (via CM/ECF electronic notification)

William L. Duda (via CM/ECF electronic notification)

John Allen Thomas (via CM/ECF electronic notification)

August 20, 2020

Peter A. Moore, Jr.

Clerk of Court

By:

Deputy Clerk

Susan H. Edwards

